

AMENDED

Serial No. 58104

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 18 1992

Returned to applicant for correction OCT 08 1992

Corrected application filed OCT 26 1992 Map filed OCT 26 1992

The applicant Moapa Valley Dairy Farms, A Nevada General Partnership

P.O. Box 488 of Overton

Street and No. or P.O. Box No.

City or Town

Nevada 89025 hereby make application for permission to change the

State and Zip Code No.

Point of Diversion, Place and Manner of Use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 44473

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.2. The amount of water to be changed 0.173 CFS (125 Acre Feet)  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.3. The water to be used for Irrigation and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.4. The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.5. The water is to be diverted at the following point within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21, T.15S.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
R.67E., MDM, whence the SE Corner of said Section 21 bears S. 04° 43' 15" E.  
distance to a section corner. If on unsurveyed land, it should be stated.  
a distance of 406 feet.6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13, T.16S.,  
If point of diversion is not changed, do not answer.  
R.67E., MDB&M, or at a point whence the NE Corner of said Section 13 bears  
N. 43° 54' 18" E. a distance of 60 Feet.7. Proposed place of use is within a portion of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
T.15S., R.67E., MDB&M, a total of 25 Acres8. Existing place of use is 185 Acres located within parts of Sections 12 and 13 T.16S.,  
R.67E., MDM, and in Section 18, T.16S., R.68E., MDB&M. 25 Acres will be removed from irrigation within  
manner of use of irrigation permit, describe acreage to be removed from irrigation. the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 18, T.16S.,  
R.68E., MDB&M. See Exhibit A for legal description of existing Place of Use.9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) a drilled and cased well with pump, motor  
and meter at the well head, with pipelines and valves to the place of use.  
State manner in which water is to be diverted, i.e. diversion structure,  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$130,000

13. Estimated time required to construct works 1 Year

14. Estimated time required to complete the application of water to beneficial use..... 3 Years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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By s/James T. Anspach  
James T. Anspach, P.E., Agent  
State W/R Surveyor No. 563  
716 Sea Pines Lane, Las Vegas, NV 89107  
Compared..... bc/bc ..... ab/se  
Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 44473 is issued subject to the terms and conditions imposed in said Permit 44473 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

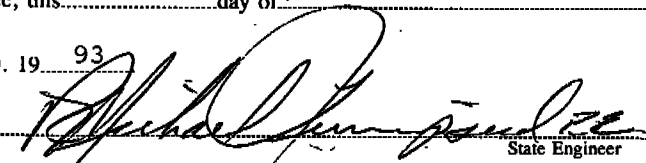
This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.173 cubic feet per second, but not to exceed 125 acre-feet annually, and not to exceed a yearly duty of 5 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before..... December 6, 1994  
Proof of completion of work shall be filed before..... January 6, 1995  
Application of water to beneficial use shall be made on or before..... December 6, 1995  
Proof of the application of water to beneficial use shall be filed on or before..... January 6, 1996  
Map in support of proof of beneficial use shall be filed on or before..... January 6, 1996

Completion of work filed..... JAN 18 1995  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 6th day of December  
A.D. 19 93  
  
State Engineer

Abrogated By: 62847-0.173 cert 8/16/00

## EXHIBIT A

### EXISTING PLACE OF USE

#### PARCEL 1

That portion of the Southeast quarter of Section 12 and that portion of Section 13, all in Township 16 South, Range 67 East, Mount Diablo Meridian, described as a whole as follows:

Beginning at the Northeast Corner of said Section 13; thence along the Easterly line of said Section 13 South 01 05'42" East 1086.79 feet; thence continuing along said Easterly line South 01 05'42" East 1571.37 feet; thence South 89 27'31" West 1353.55 feet; thence North 00 25'02" West 145.68 feet; thence South 89 24'58" West 99.70 feet; thence North 00 25'02" West 86.04 feet; thence South 89 23'58" West 125.00 feet; thence North 00 25'02" West 41.25 feet; thence South 89 24'58" West 20.00 feet; thence along the Easterly line of Cooper Avenue North 00 31'10" West 562.14 feet; thence North 89 47'50" East 652.86 feet; thence North 00 56'31" East 745.88 feet; thence North 89 47'50" East 910.19 feet to a point in the Easterly line of said Section 13; thence North 50 10'51" West 254.73 feet; thence North 35 45'41" West 378.47 feet; thence North 33 06'19" West 293.77 feet; thence North 89 38'46" East 444.06 feet; thence North 00 33'05" West 1233.66 feet; thence North 88 37'21" East 116.30 feet to a point in the Easterly line of Said Section 12; thence along said last mentioned Easterly line South 00 31'56" East 868.91 feet to the point of beginning.

#### PARCEL 3

The Northwest quarter of the Southwest quarter and the West one half of the Northwest quarter of Section 18, Township 16 South, Range 68 East, Mount Diablo Meridian.

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